

Warren County Board of Supervisors

RESOLUTION NO. 239 OF 2016

Resolution introduced by Supervisors Braymer and Montesi

TO ENACT LOCAL LAW NO. 3 OF 2016

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law entitled, "A Local Law Amending Local Law No. 3 of 2015 'A Local Law Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405.00(5)(b)' - by adding new Section 7 and renumbering the existing Section 7 to Section 8", and

WHEREAS, the Board of Supervisors adopted Resolution No. 199 of 2016 on April 15, 2016, authorizing a public hearing to be held by the Board of Supervisors on the 20th day of May, 2016, at 10:00 a.m. in the Supervisors' Room in the Warren County Municipal Center on the matter of the proposed Local Law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, the Board of Supervisors of the County of Warren, New York, on this 20th day of May, 2016, does hereby enact and adopt Local Law No. 3 of 2016 as set forth in Schedule "A" annexed hereto, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, Clerk of the Board of Supervisors, County Administrator and County Attorney are hereby authorized to make such minor modifications to the Local Law as deemed necessary, and are authorized to execute, file and publish the Local Law and take all necessary actions for the promulgation thereof.

Schedule "A"

COUNTY OF WARREN LOCAL LAW NO. 3 OF 2016

"A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2015, 'A LOCAL LAW ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405.00 (5) (b)' - BY ADDING A NEW SECTION 7 AND RENUMBERING THE EXISTING SECTION 7 AS SECTION 8"

WHEREAS, in view of the ability of merchants, pursuant to Local Law No. 3 of 2015, to sell certain common, safe items for limited time periods every year, and

WHEREAS, municipalities in Warren County that have transient merchant laws, or similar provisions of rule or law, wish to protect the interests of those laws, and

WHEREAS, to protect the integrity of those laws and to protect the adjoining land owners where such sales may take place, and to protect the public at large by ensuring the protections of such laws are implemented in relation to temporary sales, now, therefore,

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Purpose. The purpose of this Local Law is to add a new SECTION 7 to the above Local Law to read "This Local Law No. 3 of 2015 shall not supersede or render inapplicable any local law, ordinance, policy or requirement of any municipality in Warren County."

SECTION 2. The existing "SECTION 7" shall be renumbered to "SECTION 8".

SECTION 3. Except as otherwise amended herein, all provisions of Local Law No. 3 of 2015, shall remain as is and in full force and effect.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.